

STATE ELECTION COMMISSION
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHIKULA

Order

The 14th January, 2014

No. SEC/2E-II/2014/73.—As per provisions contained in the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Account) Order, 1996, every candidate contesting election for the post of Member of Panchayat Samiti shall have to maintain day to day election expenditure account in accordance with the procedure laid down in para 4, 5 and 6 of these orders and shall have to lodge his account of election expenses within 30 days from the date of declaration of result of the election in the prescribed format. The State Election Commission has also fixed the expenditure limit *vide* its order No. SEC/E-III/2003/10056, dated 23rd October, 2003. If a candidate does not file his election expenditure within prescribed time limit or makes his election expenditure beyond prescribed limit, he can be disqualified by the State Election Commissioner, Haryana for a period of three years.

2. The general election of Members of Panchayat Samiti, Mattanhail, District Jhajjar was held on 6th June, 2010 and the result was declared 14th June, 2010. Therefore, election expenses account were to be filed by 14th July, 2010. As per report by D C-cum-DEO(P), Jhajjar, the following 72 candidates failed to lodge their election expenditure statement within 30 days of declaration of the result :—

Sr. No.	Name of candidate	Father's/Husband's Name	Ward No.
1	2	3	4
	Shri/Smt.	Sarvshri/Smt.	
1.	Guddi Devi	Rajender	1
2.	Tara	Ran Singh	1
3.	Poonam	Sompal	1
4.	Babli Devi	Krishana	1
5.	Bhagwani	Humam Chand	1
6.	Meena	Ravinder	1
7.	Rajbala	Vikas	1
8.	Rajwanti	Parkash	1
9.	Rajwanti	Surajbhan	1
10.	Laxmi	Ranbir	1
11.	Kashmiri	Balwan	2
12.	Ject Singh	Dharam Singh	2
13.	Sunil	Baru Ram	2
14.	Suresh	Bhoop Singh	2
15.	Bala	Balwan Singh	3
16.	Paramjit	Hoshiar Singh	4
17.	Rambir	Balwan Singh	4
18.	Kailash	Thhawria	5
19.	Jaswant	Parbhathi	5
20.	Taqdeer	Rajender	5
21.	Sanjeev	Dilbag	5
22.	Om Parkash	Balwan Singh	6
23.	Kanwar Lal	Bharpur Singh	6
24.	Jitender	Diwan	6
25.	Deepak	Ranbir	6
26.	Yudhvir	Rajender	6
27.	Sukhbir	Nawal Singh	6
28.	Hari Om	Ramkishan	6
29.	Suresh Kumar	Sher Singh	6
30.	Premwati	Amar Chand	7
31.	Rajwanti	Umed Singh	7
32.	Shakuntla	Rajender	7
33.	Santosh	Satbir	7

1	2	3	4
	Shri/Smt.	Sarvshri/Smt.	
34.	Sushila	Satpal	7
35.	Sushila	Naresh Nath	7
36.	Sunita	Sanjay	7
37.	Sudesh Devi	Satpal	7
38.	Ravinder	Sunderpal	8
39.	Rajender	Mool Chand	8
40.	Meer Singh	Molad Ram	8
41.	Jagdish	Tarachand	8
42.	Jaiveer	Ved Singh	9
43.	Jagbir	Deepak	9
44.	Sheela	Krishan	10
45.	Sunita	Raj Kumar	11
46.	Manjit	Kuldeep	11
47.	Neelam	Sher Singh	11
48.	Nirmala	Mukesh	11
49.	Samunder	Shiv Lal	12
50.	Balwan	Amar Singh	12
51.	Dilbag	Mukhtiar	12
52.	Ramratti	Om Parkash	13
53.	Krishana	Suresh	13
54.	Bhoop Singh	Subhash Chand	14
55.	Ashok	Raj Karan	14
56.	Shami Kapoor	Ramkishan	14
57.	Sachidanand	Karan Singh	14
58.	Ballu	Bahadur	15
59.	Suresh	Nand Ram	15
60.	Anju	Harikishan	16
61.	Parmila	Bijender	16
62.	Munni	Dharambir	16
63.	Sumitra	Attar Singh	16
64.	Gurudev	Ramkishan	17
65.	Ranbir	Man Singh	17
66.	Sunil	Chet Ram	17
67.	Jage Ram	Rattan Singh	18
68.	Mangal Singh	Roshan Lal	18
69.	Shishpal	Bhagwana	18
70.	Surender	Gurbhachan	18
71.	Subhash	Hari Singh	19
72.	Sandeep	Babu Lal	19

3. They were issued show cause notice on 10th January, 2013 as to why they should not be disqualified as they had not filed the election expenses account within the prescribed time. They were also personally heard by me on 3rd September, 2013 in the court room of Deputy Commissioner, Jhajjar. Out of 72 candidates, the 40 candidates mentioned at Sr. No. 3, 5, 6, 7, 11, 13, 14, 17, 18, 19, 20, 21, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 38, 40, 41, 45, 46, 47, 50, 51, 52, 53, 60, 61, 63, 64, 66, 68 and 71 appeared for personal hearing. All the persons who appeared were heard and order was reserved.

4. The 21 candidates mentioned at Sr. No. 3, 5, 7, 17, 18, 20, 21, 27, 28, 29, 30, 31, 33, 34, 38, 45, 47, 51, 60, 61 and 64 submitted their written replies and detail of election expenditure stating therein that they had contested the election for the first time and were generally not aware of the rule regarding submission of the election expenditure register and the 19 candidates mentioned at 6, 11, 13, 14, 19, 23, 25, 26, 32, 40, 47, 50, 52, 53, 63, 66, 68 and 71 submitted their written replies stating therein that they had contested the election for the first time and was generally not aware of the rule regarding submission of the election expenditure, some of them stated that they had not submitted election expenditure statement due to ill health and further requested to condone their lapse in this regard. Some of them requested to grant more time for filing the election expenditure statements.

5. The 32 candidates mentioned at Sr. No. 1, 2, 4, 8, 9, 10, 12, 15, 16, 22, 24, 35, 36, 37, 39, 42, 43, 44, 48, 49, 54, 55, 56, 57, 58, 59, 62, 65, 67, 69, 70 and 72 have neither filed any reply to the show cause notice nor appeared for personal hearing.

6. On perusal of the record of the case and hearing of the candidates mentioned above, it has been observed that most of the candidates were generally not aware of the procedure of filing the election expenditure statement and consequently they do not submit such statements. Most of them had submitted expenditure account and their reply after receipt of show cause notices. Therefore in view of above and taking lenient view in the matter, the 21 candidates mentioned at Sr. No. 3, 5, 7, 17, 18, 20, 21, 27, 28, 29, 30, 31, 33, 34, 38, 45, 47, 51, 60, 61 and 64 who had filed election expenditure statement beyond the prescribed time limit are warned not to repeat such lapse in the future.

7. In view of above, 51 candidates mentioned at Sr. No. 1, 2, 4, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 22, 23, 24, 25, 26, 32, 35, 36, 37, 39, 40, 41, 42, 43, 44, 46, 48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 62, 63, 65, 66, 67, 68, 69, 70, 71 and 72, who failed to file their election expenditure statement till today, are hereby disqualified to contest election for a period of 3 years under para No. 6 and 11 of the Haryana Panchayati Raj Election Expenditure (Maintenance and Submission of Account) Order, 1996 from the date of this order.

8. The office is directed to send a copy of the order to all concerned and also get it notified in the Haryana Government Gazette.

Panchkula :

The 13th January, 2014.

DHRAM VIR,

State Election Commissioner, Haryana.

STATE ELECTION COMMISSION
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

The 10th January, 2014

No. SEC/IME/2014/58.—Whereas, Shri Vijay Nagar S/o Satbir was elected as member from ward No. 30 of Municipal Council, Jind at the bye election held on 15th May, 2011. His name was notified as member of the said Council under the provisions of Sub-section (2) of Section 24 of the Haryana Municipal Act, 1973, vide Commission's Notification No. SEC/IME/2011/1224, dated 19th May, 2011.

2. Whereas, his election was challenged by Smt. Sunil Kumari through an election petition in the Court of Civil Judge (Senior Division), Jind. The said election petition has been finally decided on 27th November, 2013 and the operative part of the order is as under :—

“As a sequel of my findings, the petition of the petitioner succeeds and the same is hereby allowed with costs. The election of returned candidates namely Vijay son of Satbir, the respondent No. 1 is hereby declared illegal, null and void and set aside which was held on 15th May, 2011 for the post of Municipal Councillor from Ward No. 30 of Municipal Council, Jind. A copy of this judgement be sent to Deputy Commissioner, Jind as well as State Election Commission, Haryana, Panchkula in compliance of Sub-section 4 of Section 272 of the Haryana Municipal Act, 1973 for taking necessary action.”

3. Whereas, the Deputy Commissioner, Jind vide his memo No. 3453/MC, dated 30th December, 2013 has informed that no appeal has been filed against the orders dated 27th November, 2013 passed by the Civil Judge (Senior Division), Jind in the said election petition.

4. Therefore, in compliance of the order referred above the State Election Commission, Haryana hereby de-notifies the name of Shri Vijay Nagar S/o Shri Satbir as Member, Ward No. 30 of Municipal Council, Jind.

By order,

SUBHASH MEHTA,

Panchkula :

The 10th January, 2014,

Secretary,

State Election Commission, Haryana.